

# House Study Bill 146 - Introduced

HOUSE FILE \_\_\_\_\_

BY (PROPOSED COMMITTEE ON  
STATE GOVERNMENT BILL BY  
CHAIRPERSON VANDER LINDEN)

## A BILL FOR

1 An Act related to absentee ballot deadlines.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 53.17, subsection 1, paragraph b, Code  
2 2015, is amended to read as follows:

3 b. The sealed return envelope may be mailed to the  
4 commissioner by the registered voter or by the voter's  
5 designee. If mailed by the voter's designee, the envelope  
6 must be mailed within seventy-two hours of retrieving it from  
7 the voter or within time to be ~~postmarked not later than the~~  
8 ~~day before the election~~ received in the commissioner's office  
9 before the polls close on election day, whichever is earlier.

10 Sec. 2. Section 53.17, subsections 2 and 3, Code 2015, are  
11 amended to read as follows:

12 2. In order for the ballot to be counted, the return  
13 envelope must be received in the commissioner's office before  
14 the polls close on election day ~~or be clearly postmarked by~~  
15 ~~an officially authorized postal service not later than the~~  
16 ~~day before the election and received by the commissioner not~~  
17 ~~later than noon on the Monday following the election, except~~  
18 for ballots received from a member of the armed forces of the  
19 United States pursuant to subchapter II of this chapter, which  
20 must be received by noon on the day before the supervisors  
21 canvass the votes.

22 3. ~~If the law authorizing the election specifies that~~  
23 ~~the supervisors canvass the votes earlier than the Monday~~  
24 ~~following the election, absentee ballots returned through the~~  
25 ~~mail must be received not later than the time established for~~  
26 ~~the canvass by the board of supervisors for that election.~~  
27 The commissioner shall contact the post office serving the  
28 commissioner's office ~~at the latest practicable hour before~~  
29 ~~the canvass by the board of supervisors~~ 10:00 a.m. on the day  
30 before the board of supervisors canvass the votes for that  
31 election, and shall arrange for absentee ballots received in  
32 that post office but not yet delivered to the commissioner's  
33 office to be brought to the commissioner's office before ~~the~~  
34 ~~canvass for that election by the board of supervisors~~ noon on  
35 that day.

1     Sec. 3. Section 53.17, subsection 4, paragraph f, Code 2015,  
2 is amended to read as follows:

3 f. A statement that the completed absentee ballot will  
4 be delivered to the commissioner's office within seventy-two  
5 hours of retrieving it from the voter or before the closing of  
6 the polls on election day, whichever is earlier, or that the  
7 completed absentee ballot will be mailed to the commissioner  
8 within seventy-two hours of retrieving it from the voter or  
9 within time to be ~~postmarked not later than the day before the~~  
10 election received in the commissioner's office before the polls  
11 close on election day, whichever is earlier.

12	EXPLANATION
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13 The inclusion of this explanation does not constitute agreement with  
14 the explanation's substance by the members of the general assembly.

15        This bill relates to absentee ballot deadlines. Under  
16 current law, an absentee ballot received by a county  
17 commissioner of elections is valid if it is received by the  
18 commissioner before the polls close on election day or if it is  
19 clearly postmarked by an officially authorized postal service  
20 not later than the day before the election and is received by  
21 the commissioner not later than noon on the Monday following  
22 the election. Under the bill, for an absentee ballot to be  
23 valid it must be received by the commissioner before the polls  
24 close on election day, unless the absentee ballot is completed  
25 by a military or overseas voter. The bill provides that for  
26 a military or overseas voter's ballot to be valid, it must be  
27 received by noon on the day before the supervisors canvass the  
28 votes.

29 The bill makes additional corresponding changes.